



NOTICE OF READOPTION
IC 13-14-9.5-1.1 NOTICE OF RULE REVIEW

LSA Document #07-293
LSA Document #07-294

Overview

IC 13-14-9.5-1.1 outlines the types of rules required to be noticed for readoption, but that do not expire after seven years. These are rules that are required to receive or maintain delegation, primacy, or approval for implementation or operation of a program established under federal law, as well as rules required to begin or continue receiving federal funding for implementation or operation of a program. The Notice of Readoption (#07-293) lists these rules, with the exception of 326 IAC 6-4, and requests comment identifying rules that should be the subject of a separate rulemaking process.

A separate Notice of Readoption (#07-294) was published for 326 IAC 6-4. IDEM anticipated that the provisions in 326 IAC 6-4 would generate specialized interest and that a separate readoption process was warranted.

Citations Affected

326 IAC 1-1 Provisions Applicable Throughout Title 326

326 IAC 1-2 Definitions

326 IAC 1-3 Ambient Air Quality Standards 326 IAC 1-5 Episode Alert Levels

326 IAC 1-6 Malfunctions

326 IAC 1-7 Stack Height Provisions

326 IAC 2-1.1 General Provisions

326 IAC 2-2 Prevention of Significant Deterioration (PSD) Requirements

326 IAC 2-2.2 Clean Unit Designations in Attainment Areas

326 IAC 2-2.3 Pollution Control Project Exclusion Procedural Requirements in Attainment Areas

326 IAC 2-2.4 Actuals Plantwide Applicability Limitations in Attainment Areas

326 IAC 2-2.6 Federal NSR Requirements for Sources Subject to P.L.231-2003, SECTION 6, Endangered Industries

326 IAC 2-3 Emission Offset

326 IAC 2-3.2 Clean Unit Designations in Nonattainment Areas

326 IAC 2-3.3 Pollution Control Project Exclusion Procedural Requirements in Nonattainment Areas

326 IAC 2-3.4 Actuals Plantwide Applicability Limitations in Nonattainment Areas

326 IAC 2-4.1 Major Sources of Hazardous Air Pollutants

326 IAC 2-5.1 Construction of New Sources

326 IAC 2-6 Emission Reporting

326 IAC 2-7 Part 70 Permit Program

326 IAC 2-8 Federally Enforceable State Operating Permit Program

326 IAC 2-9 Source Specific Operating Agreement Program

326 IAC 2-12 General Permits

326 IAC 2-13 Interim Approvals

326 IAC 2-14 Portable Sources

326 IAC 3-4 General Provisions

326 IAC 3-5 Continuous Monitoring of Emissions

326 IAC 3-6 Source Sampling Procedures

326 IAC 3-7 Fuel Sampling and Analysis Procedures

326 IAC 4-1 Open Burning

326 IAC 4-2 Incinerators

326 IAC 5-1 Opacity Limitations

326 IAC 6-2 Particulate Emission Limitations for Sources of Indirect Heating

326 IAC 6-3 Particulate Emission Limitations for Manufacturing Processes	Requirements by County
326 IAC 6-4 Fugitive Dust Emissions	326 IAC 7-4.1 Lake County Sulfur Dioxide Emission Limitations
326 IAC 6-5 Fugitive Particulate Matter Emission Limitations	326 IAC 8-1 General Provisions
326 IAC 6-6 Source Specific and Facility Emission Limitations for TSP in Porter County	326 IAC 8-2 Surface Coating Emission Limitations
326 IAC 6.5-1 General Provisions	326 IAC 8-3 Organic Solvent Degreasing Operations
326 IAC 6.5-2 Clark County	326 IAC 8-4 Petroleum Sources
326 IAC 6.5-3 Dearborn County	326 IAC 8-5 Miscellaneous Operations
326 IAC 6.5-4 Dubois County	326 IAC 8-6 Organic Solvent Emission Limitations
326 IAC 6.5-5 Howard County	326 IAC 8-7 Specific VOC Reduction Requirements for Lake, Porter, Clark, and Floyd Counties
326 IAC 6.5-6 Marion County	326 IAC 8-8 Municipal Solid Waste Landfills Located in Clark, Floyd, Lake, and Porter Counties
326 IAC 6.5-7 St. Joseph County	326 IAC 8-8.1 Municipal Solid Waste Landfills Not Located in Clark, Floyd, Lake, and Porter Counties
326 IAC 6.5-8 Vanderburgh County	326 IAC 8-9 Volatile Organic Liquid Storage Vessels
326 IAC 6.5-9 Vigo County	326 IAC 8-10 Automobile Refinishing
326 IAC 6.5-10 Wayne County	326 IAC 8-11 Wood Furniture Coatings
326 IAC 6.8-1 General Provisions	326 IAC 8-12 Shipbuilding or Ship Repair Operations in Clark, Floyd, Lake, and Porter Counties
326 IAC 6.8-2 Lake County: PM ₁₀ Emission Requirements	326 IAC 8-13 Sinter Plants
326 IAC 6.8-3 Lake County: Opacity Limits; Exceptions to 326 IAC 5-1-2	326 IAC 9-1 Carbon Monoxide Emission Limits
326 IAC 6.8-4 Lake County: Opacity Limits; Test Methods	326 IAC 10-1 Nitrogen Oxides Control in Clark and Floyd Counties
326 IAC 6.8-5 Lake County: Opacity Continuous Emissions Monitors	326 IAC 10-3 Nitrogen Oxide Reduction Program for Specific Source Categories
326 IAC 6.8-6 Lake County: Combustion Sources; Natural Gas	326 IAC 10-4 Nitrogen Oxides Budget Trading Program
326 IAC 6.8-7 Lake County: Site-Specific Control Requirements	326 IAC 10-5 Nitrogen Oxide Reduction Program for Internal Combustion Engines (ICE)
326 IAC 6.8-8 Lake County: Continuous Compliance Plan	326 IAC 11-1 Existing Foundries
326 IAC 6.8-9 Lake County: PM ₁₀ Coke Battery Emission Requirements	326 IAC 11-2 Sulfuric Acid Plants
326 IAC 6.8-10 Lake County: Fugitive Particulate Matter	326 IAC 11-3 Coke Oven Batteries
326 IAC 6.8-11 Lake County: Particulate Matter Contingency Measures	326 IAC 11-4 Fiberglass Insulation Manufacturing
326 IAC 7-1.1 Sulfur Dioxide Emission Limitations	326 IAC 11-6 Hospital/Medical/Infectious Waste Incinerators
326 IAC 7-2 Compliance	326 IAC 11-7 Municipal Waste Combustors
326 IAC 7-3 Ambient Monitoring	
326 IAC 7-4 Emission Limitations and	

326 IAC 11-8 Commercial and Industrial Solid Waste Incineration Units

326 IAC 13-1.1 Motor Vehicle Inspection and Maintenance Requirements

326 IAC 13-2.1 Motor Vehicle Tampering, Engine Switching, and Fuel Switching

326 IAC 13-3 Control of Gasoline Reid Vapor Pressure

326 IAC 14-1 General Provisions

326 IAC 14-8 Emission Standard for Equipment Leaks (Fugitive Emission Sources)

326 IAC 14-9 Emission Limitations for Benzene from Furnace Coke Oven By-Product Recovery Plants

326 IAC 14-10 Emission Standards for Asbestos; Demolition and Renovation Operations

326 IAC 15-1 Lead Emission Limitations

326 IAC 18-1 Asbestos Management Personnel; Licensing

326 IAC 18-2 Asbestos Training Courses; Requirements for Approval

326 IAC 19-2 Transportation Conformity to Federal and State Implementation Plans

326 IAC 19-3 Clean Fuel Fleet Vehicles

326 IAC 20-13 Secondary Lead Smelters

326 IAC 23-1 Definitions

326 IAC 23-2 Licensing

326 IAC 23-3 Training Courses and Instructors

326 IAC 23-4 Work Practices for Abatement Activities

326 IAC 23-5 Work Practice Standards for Nonabatement Activities

Affected Persons

Because of the wide variety and undeterminable number of persons affected by the variety of rules subject to readoption, notification of this readoption has been sent to all parties identified as having an interest in general environmental rulemakings.

Economic Impact of the Readoption Action

There will be no change in economic impact on affected entities as a result of this readoption action. The rules subject to this readoption action

do not expire.

Scheduled Hearing

Public Hearing: September 5, 2007 at the Northwest Indiana Regional Planning Commission, 6100 Southport Road, Portage, Indiana.

Consideration of Factors Outlined in Indiana Code 13-14-8-4

Indiana Code 13-14-8-4 requires that in adopting rules and establishing standards, the board shall take into account the following:

- (1) All existing physical conditions and the character of the area affected.
- (2) Past, present, and probable future uses of the area, including the character of the uses of surrounding areas.
- (3) Zoning classifications.
- (4) The nature of the existing air quality or existing water quality, as appropriate.
- (5) Technical feasibility, including the quality conditions that could reasonably be achieved through coordinated control of all factors affecting the quality.
- (6) Economic reasonableness of measuring or reducing any particular type of pollution.
- (7) The right of all persons to an environment sufficiently uncontaminated as not to be injurious to:
 - (A) human, plant, animal, or aquatic life; or
 - (B) the reasonable enjoyment of life and property.

Consistency with Federal Requirements

The rule readoption process is consistent with federal regulations.

Readoption Process

The first step in the readoption process is a notice of readoption published in the Indiana Register. This contains a list of rules to be readopted and opens a 30 day written comment period, soliciting comments on specific rules that should be the subject of a regular rulemaking process under IC 13-14-9. A notice of hearing is also published in the Indiana Register. The Air Pollution Control Board holds the hearing and public comments are heard. The board, after considering the written

comments and responses, as well as testimony at the public hearing, directs IDEM on whether additional rulemaking actions must be initiated to address concerns raised to the board.

IDEM Contact

Additional information regarding this rulemaking action can be obtained from Sean Gorman, Rule Development Section, Office of Air Quality, (317) 234-3533 or (800) 451-6027 (in Indiana).